

REMARKS

Receipt of the Office Action of January 28, 2009 is gratefully acknowledged.

Claims 10 - 18 have been examined and rejected as follows: claims 10 and 12 - 18 are rejected under 35 USC 102(e) over Forney et al.

This rejection has been carefully considered and is respectfully traversed.

Claims 10 and 12 - 18 are directed to a method which is used in operating field devices. Field devices are known as devices for registering and/or influencing process variables, and examples of such field devices are fill level measuring devices, mass flow meters, pressure gauges, thermometers, etc. (see page 1 lines 3 - 5 of the specification. The method in effect can change field device parameters and its functions. The Forney et al. Publication cited by the examiner refers to a method and a system for rendering animated graphics on a browser client based upon a stream of runtime data from a manufacturing/process control system. The graphics animation is based upon an animated graphic display object specification and runtime data from a portal server affecting an appearance trait of the animated graphic display object. The client browser receives an animated graphics description from the portal server specifying an animation behavior for an identified graphical display object. The client creates a data exchange connection between an animated display object, corresponding to the animated graphics description, and a source of runtime data from the portal server affecting display of the animated display object. Thereafter, the client applies runtime data received from the source of runtime data to the animated display object to render an animated graphic display object.

Forney et al. refers to the field of computer graphics user interfaces, and more particularly, Forney et al. describes methods for graphically displaying plant floor information and systems for animating graphical user interface display elements in response to changing sensed conditions. Forney et al. Has nothing at all to say about field devices connected by a data bus with a remote control, as defined in claim 10, for

example. How Forney et al. can anticipate the steps of the method set forth in the claims now pending without some connection to field devices and what they do and how they are operated is not clear at all from the rejection advanced by the examiner. The examiner, repeats the steps of the claims and refers us to paragraph passages of Forney et al, which say nothing about field devices.

We would emphasize that the present invention refers to a method for operating a field device of process automation whereby the field device is connected by way of a data bus with a control system. For the operation of the field device a graphical user interface and a device description file for the field device is used. The device description file describes the functionality of the field device in the process automation system. This device description file has two components, a data component and a presentation component. Both components are loaded together dynamically at run time by means of a browser. While the data component is written in form of an XML file, the presentation component is written in the form of a XSL file. Dynamically an HTML page is produced which represents a graphical user interface for the field device. This HTML page displayed by the browser can be dynamically changed, so that the graphical user interface is matched to the field device to be operated. The passages referred to by the examiner do not, it is respectfully submitted, reach the method steps as as described above and as found in the claims.

Fro anticipation to apply under 35 USC 102, it is necessary that each and every element (step) set forth in the claim is found either expressly or inherently described in the applied reference, *In re Bond* 910 F.2d 831 (Fed. Cir. 1990). As noted the Forney et al reference does not meet this test.

Accordingly, reconsideration and re-examination are respectfully requested and claims 10 and 12 - 18 found allowable.

Date: April 28, 2009

Respectfully submitted,
BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', is written over the printed name.

Felix J. D'Ambrosio
Attorney for Applicant

Registration Number 25,721

Customer Number *23364*
BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Telephone: (703) 683-0500
Facsimile: (703) 683-1080

S:\Producer\jfd\CLIENTS\Endress+Hauser Holding GmbH\SEGE3004-EH0502\April 28, 2009 response.wpd